

# DECLARATION AND POWER OF ATTORNEY FOR UNITED STATES PATENT APPLICATION

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"Amino-acid based compositions for the treatment of pathological conditions distinguished by insufficient mitochondrial function"

the specification of which:

(check one) ☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as U.S. Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations Code of Federal Regulations, Section 1.56.

I have identified below any foreign application from which I do not claim priority, but which relates to the above invention, and which application for patent or inventor's certificate or PCT International application has a filing date before that of the earliest application on which priority is claimed.

Number	Country	Day/Month/Year Filed
Number	Country	Day/Month/Year Filed

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below.

Prior Foreign Application(s):

Number	Country	Day/Month/Year Filed
T02003A000789	ITALY	7 October 2003 (07.10.03)
Number	Country	Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R. , Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Serial No.)	(Filing Date)	(Status) (Patented, pending, abandoned)
PCT/IB2004/003210	September 30, 2004	PENDING
(Application Serial No.)	(Filing Date)	(Status) (Patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (Patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

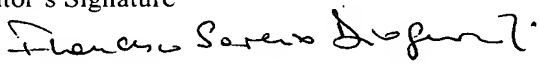
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

*All practitioners associated with Customer No. 23405, and in particular:*

<b>Robert E. Heslin</b>	<b>Reg. No. 24,778</b>	<b>Victor A. Cardona</b>	<b>Reg. No. 44,589</b>
<b>Jeff Rothenberg</b>	<b>Reg. No. 26,429</b>	<b>David A. Pascarella</b>	<b>Reg. No. 36,632</b>
<b>Susan E. Farley</b>	<b>Reg. No. 31,833</b>	<b>John Pietrangelo</b>	<b>Reg. No. 39,331</b>
<b>Nicholas Mesiti</b>	<b>Reg. No. 32,782</b>	<b>Lee Palmateer</b>	<b>Reg. No. 52,089</b>
<b>Philip E. Hansen</b>	<b>Reg. No. 32,700</b>	<b>Brett M. Hutton</b>	<b>Reg. No. 46,787</b>

Send Correspondence to: **Victor A. Cardona**  
**Heslin Rothenberg Farley & Mesiti P.C.**  
**5 Columbia Circle**  
**Albany, New York 12203**

Direct Telephone Calls to: **Victor A. Cardona (518) 452-5600**

Full name of Sole or First Inventor: <b>Francesco Saverio DIOGUARDI</b>	
Inventor's Signature 	Date: March 28, 2006
Residence: <b>Via Manara, 15</b> <b>I-20122 Milano</b> <b>Italy</b>	Citizenship <b>Italian</b>
Mailing Address: <b>Via Manara, 15</b> <b>I-20122 Milano</b> <b>Italy</b>	

Full name of Second Inventor:	
Inventor's Signature	Date:
Residence:	Citizenship
Mailing Address:	